

REMARKS

Applicants thank Examiner Tsai for the telephonic interviews, which took place on or about June 27, 2007 and July 18, 2007. During the interviews with Examiner Tsai Claims 1-25 and the prior art were discussed. As per the Interview Summary, dated July 20, 2007, "Examiner asked Mr. Moskowitz to file a new proposed amendment based on the discussion during the interview held on June 27, 2007 in order to put the claimed invention in condition of allowance since appropriate correction is required for overcoming the informalities of claims. A new proposed amendment is received and all of the informalities of claims have been corrected". "Agreement with respect to the claims was reached". Applicants again thank Examiner Tsai for the helpful suggestions to put the allowable subject matter into condition for allowance.

Applicants have taken steps to expedite the prosecution of this application and place it in condition for allowance. For business reasons, Applicants desire to have a patent on the invention as claimed as soon as possible. Accordingly, Applicants have canceled all claims other than the allowed claims in order to expedite the prosecution of this patent application. Applicants cancel the remaining claims without prejudice to Applicants' right to pursue the remaining claims in a continuation application. Applicants intend and will file at least one continuation (and/or continuation-in-part) application in order to seek allowance of the remaining claims, and will make amendments and/or arguments to address certain contentions made by the Office in the Action dated May 11, 2007. Accordingly, Applicants request entry of the instant amendment[s], reconsideration of the application and a timely notice of allowance. After entry of this amendment, Claims 2-5, 7, 9-11, 14-17, 20, and 25 will be pending, and as noted above Examiner has already indicated in "... the condition of allowance" on Paper No. 20070719, the July 20, 2007 Interview Summary.

If the Office believes that prosecution might be furthered by discussing the application with the Applicants, in person or by telephone, we would welcome the opportunity to do so.

Though the Applicants have indicated a willingness to cancel the non-allowed claims, the Applicants hereby preserve our right[s] to challenge the substantive rejections of the non-allowed claims, and to preserve for the record, Applicants submit the following brief summary of the arguments:

1) The reference cited in the 102 rejections (namely, U.S. Patent No. 6,088,455 issued to Logan et al.) do not disclose or anticipate Claims 1, 6, 8, 12, 13, 18, 19 and 21-23, for at least the reason that Logan fails to disclose the step of creating an abstract of said at least one reference signal. Logan allegedly discloses additive information, the "informational signal", having no relationship with the perceptual nature of the reference signal. The present invention[s] is not so limited. Logan fails to teach or anticipate, providing instead a means for editing known data: "... modifying a broadcast programming signal to generate a proprietary program signal that can be more suited to the individual users tastes and preferences... [to] identify known segments of the broadcast programming signal" (Logan at Col. 5 ll. 63-67). Logan thus apparently modifies a "known segment" of a radio broadcast to generate proprietary programming based on combining other "known segments" (see Col. 1 ll. 7-11; Col. 2 ll. 10-17; and, FIG. 2 "I.P.I Attributes"). It would be internally inconsistent for Logan to create an abstract for a reference signal for later comparison with an abstract from a query signal, required by the claim elements, as Logan teaches selection of *known segments* of a given broadcast to edit the material to suit a particular taste. Applicants respectfully submit that none of the references disclose or anticipate

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the elements of the claims; thus, the rejections based on anticipation must be respectfully withdrawn.

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CONCLUSION

Applicants maintain that this application is in condition for allowance, and such disposition is earnestly solicited. Applicants' silence as to the Examiner's comments is not indicative of an acquiescence to the stated grounds of rejection. If the Examiner believes that an interview with the Applicants, either by telephone or in person, would further prosecution of this application, we would welcome the opportunity for such an interview.

It is believed that no other fees are required to ensure entry and consideration of this response.


Respectfully submitted,

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